

Fresno County judicial race offers candidates with different credentials, philosophies

By Pablo Lopez



Moderator Bill McEwen, center, listens to a question from the audience with Rachel Hill, left, and Lisa Gamoian, right, at the Bench, Bar, Media: Judicial Candidates™ Forum held at The Downtown Club on Wednesday, Oct. 8, 2014 in Fresno, Calif. ERIC PAUL ZAMORA — Fresno Bee Staff Photo |[Buy Photo](#)

Fresno County's lone judicial race is a grudge match with big-time power players pumping more than \$500,000 into a winner-take-all affair between candidates with opposing philosophies about how to deal with the criminal element.

Lisa Gamoian, 56, bills herself as Fresno's No. 1 homicide prosecutor who has worked for the Fresno County District Attorney's Office for 24 years. Her supporters say she is tough as nails and has no problem putting offenders behind bars for life or on California's death row.

Rachel Hill, 51, touts her diverse credentials that include 10 years as a Fresno prosecutor, six years as a criminal defense lawyer, four years with the Fresno law firm of McCormick Barstow and two years as adjunct law professor. Her supporters, who include the majority of the Fresno County judicial bench, say her breadth of experience will allow her to bring a more balanced approach to the bench.

Over the course of several interviews, the candidates have made it clear they believe they are as different as night and day. But they also share common bonds: They are highly competitive, strong willed, adore their fathers, cherish their mothers and aren't afraid to snipe at their opponent.

Each also has survived near-death experiences to come within reach of the pinnacle of their legal career: a judgeship.

In 2007, Gamoian underwent surgery to remove a brain tumor that numbed the left side of her face, impaired her hearing and gave her headaches.

In 2010, Hill was involved in a rollover crash on Highway 41 in Fresno that left her with a broken arm, torn ligaments in her shoulder and a concussion.

Each says the experience has given her a better appreciation of life. Each says she has a clean bill of health to be a judge.

Unusually high profile for a judge's race

Judgeships are rarely decided by voters. A vast majority of judges are appointed by the governor. And once appointed or elected to the bench, judges typically remain there until they retire or die.

Of the 21 Fresno County judges up for re-election this year, only Judge Robert H. Oliver's seat is up for grabs. The term is for six years. The position pays about \$178,000 a year.

Fresno State political science professor Tom Holyoke finds the race mind-boggling.

"Typically, these judicial races are quiet, sleepy affairs," Holyoke says. "But their signs and (radio and television) ads are everywhere."

With the Nov. 4 election still more than three weeks away, they've already made this the most expensive judge's race in Fresno County history. Gamoian has raised about \$268,000, which includes a \$120,000 donation from her uncle, Fresno developer Ed Kashian.

Hill has raised about \$276,000, which includes an \$11,000 donation from Fresno developer DeWayne Zinkin Sr. and \$15,000 from developer Darius Assemi. But the biggest donor is Hill herself: she gave her campaign \$30,000 to kick it off and loaned it \$25,000. Gamoian has loaned her campaign \$30,000, election records show.

They are hoping to replace Oliver, who is retiring after nearly 20 years of service. He says he wants Hill to win.

In most general elections, big money is spent on big statewide issues and races. Holyoke said he believes money is being poured into this judicial race because the Nov. 4 ballot has few big statewide issues, other than Proposition 1 (the water bond), and few competitive statewide races. "This is a rare opportunity where the voters get to decide what type of justice they want for their community," the professor says.

Gamoian and Hill are in a face-off because they beat three other candidates in the June primary. Gamoian was the top vote-getter with 32,975, or 34.4% of the vote; Hill had 27,719, or 28.9%. But Hill has received endorsements from two candidates who lost the June primary — Fresno prosecutor Jarrett Cline and administrative law judge Steve Smith. The third candidate, Charles Magill, has declined to endorse Gamoian or Hill.

Magill, who says both sides lobbied him for his support, says the race is too close to call. "Everyone loves Rachel. She's a sweetheart," he says. But don't underestimate Gamoian, Magill says, describing her tough-on-crime approach as "right of Attila the Hun." That approach, as well as Gamoian's endorsements from law enforcement, appeals to voters, Magill says.

Holyoke agrees, saying many Fresno County voters have a perception of "living in a war zone." Gamoian's law enforcement support will give her a boost, he says.

In campaign material, Gamoian boasts a 98% conviction rate; Hill says she has never lost a case.

Influential fathers

Both candidates say they are committed to public safety and public service and promise to work long hours to help

unclog an overburdened court system.

Gamoian, who has an older sister and younger brother, says she draws her strength and work ethic from her family. Her grandmothers survived the Armenian genocide and her family has lived in Selma and the Fresno area for three generations, starting in the mid-1910s.

She says she admired her father, Walter Gamoian, who provided for his homemaker wife, Elizabeth, and children by farming and working in a winery for 40 years. Walter Gamoian died about two years ago. "My parents taught me a work ethic," Gamoian says, noting that she knows how to till the land and prune and irrigate crops. In addition to working as a prosecutor, she says she is in charge of the family farm.

"I like to fix things and learn new things," she says. "I honestly don't know what I would do if I didn't work."

Hill says her father also played a strong role in her life.

Wayne Hill was a legislator in the Colorado House of Representatives during World War II while continuing to serve in the military (he flew on reconnaissance missions as a cartographer).

Hill says her father taught her a valuable lesson by example — during the war, he stood up against a state law to ban Japanese Americans from owning land in Colorado. His vote ended his political career, she says, but it "taught me to stand up for what is right."

Her father died when she was in junior high, leaving her mother, Joan, to raise her and her two sisters. "We were raised by a single mother on a school teacher's salary. Nothing was given to me," Hill says, noting that she paid her own way through college and law school and received scholarships. Gamoian also says she paid her way through law school.

One-time colleagues, now foes

The two candidates, as well as Hill's husband, Fresno County Superior Court Judge Jonathan Skiles, were once cordial colleagues in the District Attorney's Office. Gamoian and Skiles also were on the same homicide team. In October 2010, Gov. Arnold Schwarzenegger appointed Skiles to the bench.

The election has changed their relationship. At a debate Wednesday at the Downtown Club, Gamoian criticized Hill, saying she is unqualified to be a judge — noting that Hill has tried three times to get appointed. Gamoian says she has never tried.

Hill shot back, saying Gamoian was rejected in a bid to become a court commissioner.

Hill was also criticized at a political forum in May at Fresno State. Gamoian didn't raise the issue, but the other candidates said it was wrong for Skiles to send an email to attorneys asking for donations to the Hill campaign.

Hill says the fundraising letter was legal and her husband cleared it with his bosses. "It was not my decision," she says. "I don't tell my husband what to do."

Likewise, she doesn't like critics saying that if elected, she will discuss cases with her husband at the dinner table and take his advice.

"That's sexist," Hill says. "I am not my husband's protégé." She also noted that she practiced six years before Skiles was admitted to the bar and owned a house before she married him.

The bulk of Gamoian's endorsements come from the Fresno Police Officers' Association, Clovis Police Officers' Association, Fresno Deputy Sheriff's Association and other law enforcement unions. She also has endorsements from Sheriff Margaret Mims, former Sheriff Steve Magarian, Rep. Devin Nunes, and Fresno County Supervisors Henry R.

Perea, Debbie Poochigian, Judy Case McNairy and Phil Larson.

She was named Prosecutor of the Year in 2006 by the California District Attorney's Association for the successful prosecution of Marcus Wesson, who received the death penalty for orchestrating the 2004 murder of nine of his children in Fresno. In all, Gamoian has put three people on death row. Hill has none — then again, her time in the DA's Office was not spent prosecuting capital cases.

"It's all about public safety for me," says Gamoian, who promises to bring toughness to court, not only toward defendants convicted of serious and violent crimes, but also toward defense lawyers who contribute to what she calls a "culture of continuances," unwarranted delays in criminal cases. In debates, Gamoian has criticized judges for allowing the delays to happen.

"I know what I am saying is not popular among judges, but it's the truth," she says. "Judges need to enforce the rules of court. If there's no written motion for good cause, then I won't grant a delay."

Hill says Gamoian's approach won't work.

One reason the courts are overwhelmed, Hill says, is that the Public Defender's Office is overloaded with cases. And if a case goes to trial without a prepared defense lawyer, it could be grounds for an appeal. "The case will likely get overturned and that would be a waste of taxpayers' money," Hill says, noting that the victims will then have to come back to court and testify in a new trial. "Let's do it right the first time."

Hill's endorsements include Justices Brad Hill, Gene Gomes and Rosendo Peña of the California 5th District Court of Appeal in Fresno, the Fresno Chamber of Commerce, Fresno City Council Members Lee Brand, Paul Caprioglio and Steve Brandau, Fresno businessman Bob Smittcamp, Clovis Mayor Lynn Ashbeck, former Fresno mayor Alan Autry and former Assembly Member Juan Arambula.

"I have broad-base support," Hill says. "I don't have a rich uncle giving me money and using his political influence."

In response, Gamoian says she is grateful for her uncle's support. "I love my uncle," Gamoian says. "And anyone who knows him knows he wouldn't give me money unless he believed in me."

Gamoian is open about her tough-on-crime approach. She also isn't afraid to criticize judges and government workers, saying she doesn't believe they are overworked.

"I'm for protecting taxpayers' money," she says.

If elected, Gamoian says she promises to work long hours to get the work done.

Hill says she wants her credentials and endorsements to prove she has earned the right to be a judge. She says Gamoian would better serve the community by remaining a prosecutor.

A defining moment in the race came during Wednesday's debate, where Gamoian told a pro-Hill gathering that she is the best candidate to be a judge.

"I have a lifelong investment and understanding of Fresno County," Gamoian said. "I speak the language."

Hill responded by saying she, too, "feels deeply rooted in this community. I will be here for the foreseeable future."

Not to be outdone, Gamoian later told a reporter: "I will die here."

Contact Pablo Lopez: plopez@fresnobee.com, (559) 441-6434 or [@beecourts](https://twitter.com/beecourts) on Twitter.

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